

Message Text

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FM SECSTATE WASHDC
TO AMEMBASSY BUCHAREST

UNCLAS STATE 016284

E.O. 11652: N/A

TAGS: CGEN

SUBJECT: JUDICIAL ASSISTANCE: CASE OF VALERIAN TRIFA

REF: BUCHAREST 303

1. DEPARTMENT OF JUSTICE IS EXTREMELY DISAPPOINTED BY FAILURE OF GOR TO PROVIDE ANY USEFUL INFORMATION CONCERNING TRIFA'S ACTIVITIES AS HEAD OF IRON GUARD. JUSTICE HAS DEVELOPED SOME INFORMATION FROM U.S. SOURCES CONCERNING THESE ACTIVITIES BUT FEELS THAT BULK OF EVIDENCE IS IN ROMANIA. U.S. ATTORNEY HANDLING CASE HAS THEREFORE REQUESTED PERMISSION TO SEND AN ASSISTANT PROSECUTOR TO ROMANIA IN NEXT TWO MONTHS TO PURSUE LEADS WHICH HAVE BEEN TURNED UP BY U.S. INVESTIGATION.

2. U.S. CONGRESS IS INTERESTED IN INS HANDLING OF WAR CRIMES CASES AND IN COOPERATION AFFORDED BY GOVERNMENTS WHICH HAVE HERETOFORE CRITICIZED U.S. FAILURE TO ACT ON CHARGES INVOLVING WAR CRIMINALS. GOR'S POSITION ON UNCLASSIFIED

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TRIFA CASE WILL UNDOUBTEDLY COME TO ATTENTION OF CONGRESS AND COULD BECOME THE SUBJECT OF UNFAVORABLE PUBLICITY. ROMANIAN GOVERNMENT MAY WISH TO TAKE THAT POSSIBILITY INTO

ACCOUNT IN DECIDING WHETHER TO ADMIT ASST. U.S. ATTORNEY FROM DETROIT.

3. IF, AS INDICATED IN PARA 3 OF REFTTEL, TRIFA ENTERED
U.S. ILLEGALLY, THEN HE IS DEPORTABLE.
ALTHOUGH CASE AGAINST HIM WOULD BE STRENGTHENED IF
GOVERNMENT COULD PROVE THAT HE PARTICIPATED IN WAR
CRIMES (USING EVIDENCE FROM ROMANIAN SOURCES), USG WILL
PROCEED AGAINST HIM EVEN WITHOUT SUCH INFORMATION.
CONSEQUENTLY, ROMANIAN OFFICIALS SHOULD NOT BE LEFT WITH
IMPRESSION THAT THEIR NON-COOPERATION WILL RESULT IN
DISMISSAL OF CHARGES AGAINST TRIFA. SINCE CASE WILL GO
FORWARD IN ANY EVENT AND GOR NON-COOPERATION IS LIKELY
TO RESULT IN ADVERSE PUBLICITY, GOR MAY WISH TO
RECONSIDER ITS DECISION NOT TO SUPPLY FURTHER EVIDENCE.

4. EMBASSY IS REQUESTED TO RAISE THE FOREGOING WITH GOR
AND TO INQUIRE WHETHER GOR WILL ISSUE A VISA TO
ASSISTANT PROSECUTOR AND FACILITATE HIS SEARCH FOR
WITNESSES AND EVIDENCE. CHRISTOPHER

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